

1956

February 28

SEP 22 1998

Mr. Aubrey G. Robinson
State Fire Marshal
Board of Fire Control
State House
Concord, New Hampshire

Dear Mr. Robinson:

You have inquired as to whether the "Alerto" home fire alarm falls within the definition of "fireworks" under RSA 160:1. This device has a fuse, resembles a firecracker except that it is flat in shape and explodes when the fuse is ignited.

RSA 160:1 provides in part as follows:

"The word 'fireworks' as used in this chapter shall mean and include any combustible or explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, and shall include . . . firecrackers . . ."

It is the opinion of this office that the device in question falls within the definition of "fireworks". Though the ultimate purpose of this device is to give warning in the event of fire, rather than to furnish amusement, the danger of injury contemplated by the legislature is present in the "Alerto". Essentially it is a firecracker or salute, the only difference being that two adhesive strips are wrapped around the "Alerto" for fastening it to furniture, drapes, etc.

Very truly yours,

Elmer T. Bourque
Assistant Attorney General

ETB/T